

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

RASON HORTON,

Plaintiff,

Case No. 16-cv-12715
Hon. Matthew F. Leitman

v.

PAMELA GREENE,

Defendant.

/

**ORDER (1) CONDITIONALLY APPOINTING
COUNSEL AND (2) STAYING CASE**

Plaintiff Rason Horton is a state prisoner currently confined at the Carson City Correctional Facility in Carson City, Michigan. Horton, proceeding pro se, brings this action under 42 U.S.C. §1983 against Defendant Pamela Greene. All dispositive motions have been filed and decided. Only one claim remains: Horton's First Amendment retaliation claim based on Horton's oral grievances to Greene's supervisors on August 29, 2014, and September 1, 2014. (*See Order, ECF #60 at Pg. ID 494.*)

Unlike criminal cases, there is no constitutional or statutory right to the appointment of counsel in civil cases. See *Lavado v. Keohane*, 992 F.2d 601, 605-606 (6th Cir. 1993). However, this district has a procedure in which cases are referred to a Pro Bono Committee that requests members of the bar to assist in

appropriate cases. This Court believes Horton would benefit from the assistance of appointed pro bono counsel to try this case.

Accordingly, this case is referred to the Pro Bono Committee. Horton is conditionally granted appointment of counsel provided that the committee is successful in enlisting pro bono counsel. If the committee is unsuccessful, counsel will not be appointed and Horton will proceed *pro se* or retain counsel at his own expense.

In the interim, and until such time as the Pro Bono committee either appoints counsel or determines that counsel cannot be appointed, this case is **STAYED**.

IT IS SO ORDERED.

s/Matthew F. Leitman
MATTHEW F. LEITMAN
UNITED STATES DISTRICT JUDGE

Dated: June 5, 2019

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on June 5, 2019, by electronic means and/or ordinary mail.

s/Holly A. Monda
Case Manager
(810) 341-9764